

Joel T. Marker (4372)
McKAY, BURTON & THURMAN
Attorneys for Joel T. Marker, Trustee
170 South Main Street, Suite 800
Salt Lake City, UT 84101
Telephone: (801) 521-4135
Fax: (801) 521-4252
Email: joel@mbt-law.com

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

In re:	:	Bankruptcy No. 04-30824 WTT
		Chapter 7
SHELBY ELIZABETH NICHOLS,	:	
Debtor.	:	

TRUSTEE'S MOTION TO REOPEN CASE

Joel T. Marker, Trustee of the Chapter 7 bankruptcy estate of Shelby Elizabeth Nichols, hereby moves the Court for an order reopening this case pursuant to Section 350(b) of the Bankruptcy Code and Bankruptcy Rule 5010, to allow the Trustee to administer assets. In support of this motion the Trustee respectfully represents as follows:

1. The Debtor commenced this case by filing a voluntary petition for relief under Chapter 7 of the Bankruptcy Code on July 6, 2004. This is a pro se case.
2. After reviewing the Debtor's Statements and Schedules the Trustee examined the Debtor at a meeting of creditors conducted August 10, 2004. Thereafter, the Trustee filed a no asset report on November 30, 2004 and the case was closed July 21, 2006.
3. The Trustee has received \$10,000 from the Debtor as court-ordered restitution in a federal criminal case, Case No. 02:05CR202. The Trustee requests that the Court enter an order reopening the case to allow the Trustee to administer assets and for such other cause as may be

determined after a further investigation of the Debtor's financial affairs.

Based upon the foregoing the Trustee respectfully requests that the Court enter an order reopening this case, that the Court defer the fee to reopen this case, and that the Court determine that a Trustee is necessary to protect the interests of creditors or to ensure efficient administration of the case.

DATED this 7th day of October, 2009.

McKAY, BURTON & THURMAN

_____/s/
Joel T. Marker
Attorneys for Joel T. Marker, Trustee